

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

**PATRICK HALEY and RANDAL
REEP, on behalf of themselves and
all others similarly situated,**

Plaintiffs,

v.

DELTA AIR LINES, INC.

Defendant.

Civil Action No. 1:21-CV-01076-SEG

DEFENDANT DELTA AIR LINES, INC.’S
NOTICE REGARDING DATA PRODUCTION

Presently pending before the Court is Plaintiff Patrick Haley’s Motion to Compel Defendant Delta Air Lines, Inc. (“Delta”) to produce data in addition to the substantial data it has already produced spanning more than fifteen years for tens of thousands of Delta employees. [Dkt. No. 76]

On December 14, 2022, after being granted an extension of time from this Court, Plaintiff Haley filed a Reply Brief requesting relief not sought in his original Motion to Compel – an order that Delta be required to produce certain data regarding Flight Attendants and ground employees by December 27, 2022 (the first business day after Christmas). [Dkt. No. 86 at 1–2] This is a new request not previously part

of Plaintiff's original Motion, *see* Dkt. No. 76, and thus is in direct violation of this Court's Standing Order and improper, *see* Dkt. No. 46, § I. Such request is effectively a new Motion to Compel on the topic of a production deadline. It is filed by Plaintiff Haley without meeting and conferring with Delta, without addressing the issue with the Court by telephone as required, and without providing Delta an opportunity to be heard on the issue.

Given the nature of Plaintiff Haley's new request, Delta believes it is important to inform the Court of the current status of its data production. Delta has been diligently working to produce the fifteen-years' worth of employment data Plaintiff Haley has requested for *all* Delta employees. Due to the broad scope of the data requested, the fact that it covers *all* employees and therefore spans multiple Human Resources systems, and the fact that Delta's multiple Human Resources data systems have evolved and changed over the past fifteen years, this process has been time-consuming and laborious.

Over the last two months, Delta has, in two separate data productions, provided Plaintiff Haley with leave data for tens of thousands of Pilots and Flight Attendants.¹ Through its continuing efforts, Delta has now extracted from its

¹ Specifically, on October 4, 2022, Delta produced data for its Pilot workforce from 2007 through 2022 that included Employee Number, Job Title, Leave Type, Leave Start Date, Leave End Date, Compensation, Hourly Rate, Pilot Base, Seniority Date.

various data systems all but a small amount of the remaining ground employee and Flight Attendant data that Delta has agreed to produce in this matter.² Delta is in the process of transmitting this data to the undersigned and should complete the transmission by the end of the year, barring any complications with archived systems. The undersigned will, upon receipt, promptly take the steps necessary to complete a quality-control check and to prepare the remaining data for production. Delta currently expects to produce this data prior to the close of the current discovery period – January 10, 2023.³

Delta opposes Plaintiff's request that the Court enter an Order requiring Delta's production of data by December 27, 2022. Nonetheless, Delta will continue

On October 11, 2022, Delta produced similar data for its Flight Attendant workforce that included Employee Number, Leave Type, Leave Start Date, and Leave End Date. The leaves and absence data that Delta included in these productions were for Military Leave, Jury Duty, Bereavement, and (for its Pilot workforce) Sick Leave.

² Delta is continuing to work to gain access to certain data relating to its salaried workforce during the time period of 2007-2016. That data is in an archived system. Delta expects to have full access to that data and to extract it by the end of next week.

³ To the extent that the Court grants Plaintiff's request for additional data set forth in the pending Motion to Compel, such as data relating to contact information and damages, Delta would need additional time to extract, compile and produce such data. The precise amount of time necessary would depend on the nature of any additional data to be produced.

to proceed diligently and in good faith to produce the substantial data requested by Plaintiff Haley in this matter as soon as it is able.

Respectfully submitted this 23rd day of December, 2022.

MUNGER & STONE, LLP

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D) of the Local Rules for the United States District Court for the Northern District of Georgia, I hereby certify that the foregoing has been prepared in Times New Roman, 14-point font, as permitted by Local Rule 5.1.

This 23rd day of December, 2022.

/s/ James A. Washburn

James A. Washburn

Georgia Bar No. 738845

CERTIFICATE OF SERVICE

This is to certify that I have this 23rd day of December, 2022, electronically filed the foregoing **DEFENDANT DELTA AIR LINES, INC.'S NOTICE REGARDING DATA PRODUCTION** with the Clerk of Court using the CM/ECF system, which will automatically serve notification of such filing to all counsel of record.

/s/ James A. Washburn

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